

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

**ARIEL DIAZ, Individually and on
behalf of All Others Similarly Situated**

PLAINTIFF

vs.

No. 1:21-cv-5707

HARLO ELMHURST, INC.

DEFENDANT

FINAL JUDGMENT

Before this Court is Plaintiff's Motion for Default Judgment ("Motion") against Defendant Harlo Elmhurst, Inc. After reviewing all the pleadings and Plaintiff's Motion and all exhibits to Plaintiff's Motion, this Court finds, orders, and decrees:

FINDINGS

1. Plaintiff Ariel Diaz filed his Original Complaint against Defendant Harlo Elmhurst, Inc. on October 26, 2021, alleging facts and claims unpaid overtime wages.
2. Plaintiff served Defendant with the Complaint and Summons on November 1, 2021, and filed the Proof of Service on November 11, 2021.
3. Defendant's deadline for filing and serving an Answer or Motion to Dismiss was November 22, 2021, and no other time limit was fixed by this Court.
4. Defendant failed to timely serve or file any responsive pleading.
5. On June 22, 2022, the Clerk granted Plaintiff's Motion for Default Judgment.

6. Pursuant to Rule 55, Plaintiff is entitled to a judgment by default against Defendant as a result of Defendant's failure to file any responsive pleading herein within the time allowed by the Rules.

7. Defendant failed to pay Plaintiff overtime wages.

8. Because of Defendant's failure to pay Plaintiff overtime wages, Plaintiff has suffered \$11,283.00 plus an equal amount as liquidated damages, \$12,475.35 in statutory premiums, and \$20,622.00 in statutory treble damages, or a total of \$55,663.35.

9. Furthermore, because Defendant failed to pay overtime wages, as of the date of this Order, Plaintiff had accrued \$8,919.80 in reasonable attorney fees and costs.


ORDER AND JUDGMENT

WHEREFORE, this Court hereby GRANTS Plaintiff Ariel Diaz, individually, Motion for Default Judgment and ORDERS the following relief to Plaintiff:

1. Defendant shall pay to Plaintiff the amount of \$55,663.35 for unpaid wages and other damages;

2. Defendant shall pay to Plaintiff the amount of \$8,919.80 for attorney fees and costs;

IT IS SO ORDERED this 13th day of July, 2022.


HON. JOAN H. LEFKOW
U.S. DISTRICT COURT JUDGE